

BK 1415 PG 0052

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**RECORDATION REQUESTED BY:**

Union Planters Bank, National Association  
Berclair Branch  
4383 Summer Avenue  
Memphis, TN 38122

STATE MS. - DESOTO CO. A  
FILED

Nov 26 11 08 AM '01

BK 1415 PG 0052  
WARRANTY DEED

**WHEN RECORDED MAIL TO:**

Union Planters Bank, National Association  
728 Melrose Avenue  
Nashville, TN 37211

**SEND TAX NOTICES TO:**

STEVEN M PATE  
DANITA W PATE  
9223 LAUREL HILL SOUTH  
OLIVE BRANCH, MS 38654

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY

This Modification of Deed of Trust prepared by:

BONNIE JOYNER, LOAN PROCESSOR  
UNION PLANTERS BANK, NA  
7130 GOODLETT FARMS PKWY  
CORDOVA, TN 38018  
(901) 580-6000

NOTE TO CHANCERY CLERK: LOT 29, PHASE I, SEC "A", THE PLANTATION S/D, SEC 27, T1S, R6W, DESOTO COUNTY, MISSISSIPPI. .

**MODIFICATION OF DEED OF TRUST**

THIS MODIFICATION OF DEED OF TRUST dated November 7, 2001, is made and executed between STEVEN M PATE and WIFE, DANITA W PATE, whose address is 9223 LAUREL HILL SOUTH, OLIVE BRANCH, MS 38654 ("Grantor") and Union Planters Bank, National Association; Berclair Branch; 4383 Summer Avenue; Memphis, TN 38122 ("Lender").

DEED OF TRUST. Lender and Grantor have entered into a Deed of Trust dated March 9, 2001 (the "Deed of Trust") which has been recorded in DESOTO County, State of Mississippi, as follows:

RECORDED 03-09-2001 @ INST. NO. BOOK 1307, PAGE 269, CHANCERY CLERK OF DESOTO COUNTY, MISSISSIPPI.

REAL PROPERTY DESCRIPTION. The Deed of Trust covers the following described real property located in DESOTO County, State of Mississippi:

LOT 29, PHASE I, SECTION A, THE PLANTATION, IN SECTION 27, TOWNSHIP 1 SOUTH, RANGE 6 WEST, DESOTO COUNTY, MISSISSIPPI, AS SHOWN ON PLAT OF RECORD IN PLAT BOOK 36, PAGE 33-41, IN THE CHANCERY CLERK'S OFFICE OF DESOTO COUNTY, MISSISSIPPI, TO WHICH PLAT REFERENCE IS HEREBY MADE FOR A MORE PARTICULAR DESCRIPTION OF SAID PROPERTY.

BEING THE SAME PROPERTY CONVEYED TO GRANTORS HEREIN BY WARRANTY DEED OF RECORD AS SHOWN BY INST. NO. 253/5, SAID CHANCERY CLERK'S OFFICE.

STEVEN PATE A/K/A STEVEN M. PATE.

DANITA PATE A/K/A DANITA W. PATE.

The Real Property or its address is commonly known as 9223 LAUREL HILL SOUTH, OLIVE BRANCH, MS 38654.

MODIFICATION. Lender and Grantor hereby modify the Deed of Trust as follows:

THE LOAN ACCOUNT BALANCE THAT CAN BE OUTSTANDING AT ANY ONE TIME UNDER THIS AGREEMENT IS HEREBY INCREASED FROM FIFTY THOUSAND DOLLARS (\$50,000.00) TO SEVENTY THOUSAND DOLLARS (\$70,000.00).

CONTINUING VALIDITY. Except as expressly modified above, the terms of the original Deed of Trust shall remain unchanged and in full force and effect. Consent by Lender to this Modification does not waive Lender's right to require strict performance of the Deed of Trust as changed above nor obligate Lender to make any future modifications. Nothing in this Modification shall constitute a satisfaction of the promissory note or other credit agreement secured by the Deed of Trust (the "Note"). It is the intention of Lender to retain as liable all parties to the Deed of Trust and all parties, makers and endorser to the Note, including accommodation parties, unless a party is expressly released by Lender in writing. Any maker or endorser, including accommodation makers, shall not be released by virtue of this Modification. If any person who signed the original Deed of Trust does not sign this Modification, then all persons signing below acknowledge that this Modification is given conditionally, based on the representation to Lender that the non-signing person consents to the changes and provisions of this Modification or otherwise will not be released by it. This waiver applies not only to any initial extension or modification, but also to all such subsequent actions.

GRANTOR ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS MODIFICATION OF DEED OF TRUST AND GRANTOR AGREES TO ITS TERMS. THIS MODIFICATION OF DEED OF TRUST IS DATED NOVEMBER 7, 2001.

GRANTOR:

x

STEVEN M PATE, Individually

x

DANITA W PATE, Individually

LENDER:

x

Authorized Officer

## INDIVIDUAL ACKNOWLEDGMENT

STATE OF Tennessee

)

COUNTY OF Shelby

) SS

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Personally appeared before me, the undersigned authority in and for the said County and State, on this 7 day of November, 20 01, within my jurisdiction, the within named **STEVEN M PATE and DANITA W PATE, Husband and Wife**, who acknowledged that they signed, executed and delivered the above and foregoing Modification for the purposes mentioned on the day and year therein mentioned.

Patricia Buzant

NOTARY PUBLIC

My Commission Expires:

MY COMMISSION EXPIRES APR. 13, 2004

## LENDER ACKNOWLEDGMENT

STATE OF Tennessee

)

COUNTY OF Shelby

) SS

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Personally appeared before me, the undersigned authority in and for the said County and State, on this 7 day of November, 20 01, within my jurisdiction, the within named Vice President a corporation, and acknowledged that for and on behalf of the said corporation, and as its act and deed, he or she signed, executed and delivered the above and foregoing Modification for the purposes mentioned on the day and year therein mentioned after first having been duly authorized by said corporation so to do.

Patricia Buzant

NOTARY PUBLIC

My Commission Expires:

MY COMMISSION EXPIRES APR. 13, 2004

UP  
(enw)